

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

Plaintiff

v.

ROBERT JEFFREY MUELLER

Defendant

Case No.: 5:24-CR-00563-XR

**DEFENDANT’S UNOPPOSED MOTION TO DIRECT PRODUCTION OF
DOCUMENTS BEFORE TRIAL**

TO THE HONORABLE COURT:

Defendant Robert Jeffrey Mueller (“**Mr. Mueller**”) files this Unopposed Motion to Direct Production of Documents Before Trial (the “**Motion**”) and in support would respectfully show:

1. The Indictment against Mr. Mueller was filed on November 6, 2024.
2. On February 26, the Court entered an Order Granting Continuance and Amended Scheduling Order, which set the date for entry of a plea agreement for July 18, 2025, and for jury selection and trial for August 11, 2025.
3. The parties are currently engaged in discovery, with both the Government and Mr. Mueller producing documents pursuant to Federal Rule of Criminal Procedure 16. The parties are conferring regarding discovery issues and anticipate additional document production.
4. Mr. Mueller also intends to seek discovery of relevant documents from third parties. This discovery includes a proposed subpoena to the Trustee for the Deeproot Entities in the related bankruptcy proceedings,¹ which is attached hereto as Exhibit A. The Trustee is believed to be in

¹ The “Trustee” refers to John Patrick Lowe, in his capacities as Chapter 7 Trustee for the Bankruptcy Estate of Deeproot Capital Management, LLC, et al., Bankruptcy No. 21-5123-MMP, and the related Adversary Proceedings.

possession of deposition transcripts and other statements of witnesses who may testify at trial in this case, among other relevant documents. These transcripts/statements are not in the possession of the Government or Mr. Mueller.

5. Counsel for Mr. Mueller and the Government have conferred and agree that production of such documents prior to trial in this matter would better enable both parties to prepare for trial and otherwise evaluate this case. The attached subpoena therefore includes a production date of July 14, 2025, approximately one month prior to the current trial date. Mr. Mueller has agreed to produce any documents produced pursuant to this subpoena to the Government promptly after they are received by Mr. Mueller.

6. Federal Rule of Criminal Procedure 17(c)(1) permits the Court to direct a witness to produce items designated in a subpoena prior to trial.

7. Mr. Mueller therefore respectfully requests that the Court direct the Trustee to respond to the subpoena attached as Exhibit A by July 14, 2025, or a later date agreed to by Defendant.

8. Undersigned counsel has conferred with counsel for the Government, who is not opposed to the relief requested herein.

DATED: June 23, 2025.

Respectfully submitted,

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***Attorneys for Defendant
Robert Jeffrey Mueller***

CERTIFICATE OF CONFERENCE

I certify that counsel for Defendant Robert Jeffrey Mueller has conferred with Mr. William Harris, counsel for United States of America, and confirmed that this Motion is unopposed.

/s/ H. Jay Hulings

H. Jay Hulings

CERTIFICATE OF SERVICE

I certify that on June 23, 2025, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and all counsel of record will receive an electronic copy via the Court's CM/ECF system.

/s/ H. Jay Hulings

H. Jay Hulings